

Senate Study Bill 3054

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF
PHARMACY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to controlled substance schedules and the
2 reporting requirements to the board of pharmacy and making
3 penalties applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5349DP 82
6 jm/nh/14

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1 1 Section 1. Section 124.206, subsection 2, paragraph a,
1 2 Code Supplement 2007, is amended by adding the following new
1 3 subparagraph:
1 4 NEW SUBPARAGRAPH. (18) Oripavine.
1 5 Sec. 2. Section 124.206, subsection 4, Code Supplement
1 6 2007, is amended by adding the following new paragraph:
1 7 NEW PARAGRAPH. e. Lisdexamfetamine, its salts, isomers,
1 8 and salts of its isomers.
1 9 Sec. 3. Section 124.208, subsection 3, Code Supplement
1 10 2007, is amended by adding the following new paragraph:
1 11 NEW PARAGRAPH. n. Embutramide.
1 12 Sec. 4. Section 124.208, subsection 9, Code Supplement
1 13 2007, is amended to read as follows:
1 14 9. HALLUCINOGENIC SUBSTANCES.
1 15 a. Dronabinol (~~synthetic~~) in sesame oil and encapsulated
1 16 in a soft gelatin capsule in a drug product approved for
1 17 marketing by the United States food and drug administration
1 18 approved product.
1 19 b. Any drug product in tablet or capsule form containing
1 20 natural dronabinol (derived from the cannabis plant) or
1 21 synthetic dronabinol (produced from synthetic materials) for
1 22 which an abbreviated new drug application (ANDA) has been
1 23 approved by the United States food and drug administration
1 24 under section 505(j) of the Federal Food, Drug, and Cosmetic
1 25 Act and which references as its listed drug the drug product
1 26 identified in paragraph "a".
1 27 c. Some other names for dronabinol: (6aR=trans)=6a, 7, 8,
1 28 10a=tetrahydro=6, 6, 9=trimethyl=3=pentyl=6H=dibenzo [b,d]
1 29 pyran=1=ol, or (=)=delta=9=(trans)=tetrahydrocannabinol.
1 30 Sec. 5. Section 124B.2, subsection 1, paragraphs j and l,
1 31 Code 2007, are amended by striking the paragraphs.

EXPLANATION

1 33 This bill relates to controlled substance schedules and the
1 34 requirements for reporting to the board of pharmacy.
1 35 The bill adds the substance "oripavine" to the list of
2 1 schedule II controlled substances.
2 2 The bill also adds the substance "lisdexamfetamine", its
2 3 salts, isomers, and salts of its isomers to the list of
2 4 stimulants classified as schedule II controlled substances.
2 5 A schedule II controlled substance is a substance
2 6 appropriate for medical use but has a high potential for
2 7 abuse.
2 8 The bill adds the substance "embutramide" to the list of
2 9 depressants classified as schedule III controlled substances.
2 10 The bill makes any drug product in a tablet or capsule form
2 11 containing natural or synthetic "dronabinol" (derived from the
2 12 cannabis plant) a schedule III controlled substance. Current
2 13 law makes any product in capsule form containing synthetic
2 14 dronabinol approved by the F.D.A. a schedule III controlled
2 15 substance.
2 16 A schedule III controlled substance is a substance
2 17 appropriate for medical use but has a lower potential for
2 18 abuse than substances classified as schedule II controlled

2 19 substances.

2 20 The bill also strikes references to pseudoephedrine and
2 21 phenylpropanolamine as precursor substances which require
2 22 reporting to the board of pharmacy under Code chapter 124B.
2 23 Under the bill and in current law, pseudoephedrine and
2 24 phenylpropanolamine are regulated as schedule V controlled
2 25 substances pursuant to Code section 124.212.

2 26 The scheduling amendments in the bill conform with
2 27 scheduling actions of the federal Drug Enforcement Agency
2 28 (DEA).

2 29 The bill makes it a class "C" felony pursuant to Code
2 30 section 124.401, subsection 1, paragraph "c", subparagraph
2 31 (8), for any unauthorized person to manufacture, deliver, or
2 32 possess with the intent to manufacture or deliver, oripavine,
2 33 lisdexamfetamine, or embutramide, including its counterfeit or
2 34 simulated form, or to act with, enter into a common scheme or
2 35 design with, or conspire with one or more persons to
3 1 manufacture, deliver, or possess with the intent to
3 2 manufacture or deliver oripavine, lisdexamfetamine, or
3 3 embutramide.

3 4 The bill also makes it a serious misdemeanor pursuant to
3 5 Code section 124.401, subsection 5, for any unauthorized
3 6 person to possess oripavine, lisdexamfetamine, or embutramide.

3 7 A class "C" felony is punishable by confinement for no more
3 8 than 10 years and a fine of at least \$1,000 but not more than
3 9 \$50,000 pursuant to Code section 124.401(1)(c). A serious
3 10 misdemeanor is punishable by confinement for no more than one
3 11 year and a fine of at least \$315 but not more than \$1,875.

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